

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

TARANEH VESSAL)	
Petitioner)	
vs.)	
)	CASE NO: 1:17-cv-08101
BLATT, HASENMILLER, LEIBSKER &)	Honorable Matthew F. Kennelly
MOORE, LLC., AND THOMPSON COBURN, LLP.)	Magistrate Judge Michael T. Mason
(AGENTS /REPRESENTATIVES OF CITIBANK))	
Respondents)	

MOTION FOR SERVICE BY SPECIAL ORDER OF COURT

NOW COMES the Petitioner, Taraneh Vessal (*Pro Se*), and herein moves the Court pursuant to Federal Rule of Civil Procedure 4(h) (1) which allows service upon a Corporation pursuant to the law of the state in which the district court is located . (735 ILCS 5/2-204)(2) of the Illinois Code of Civil Procedure allows for leave to serve the Respondent, Blatt, Hasenmiller, Leibsker & Moore LLC. (hereinafter” BHLM”), by special order of the Court. For grounds, Petitioner states the following:

1. Petitioner requested BHLM to waive service on November 9, 2017, the waiver was returned unexecuted. [Docket # 10]
2. Petitioner has attempted to personally serve the Respondent herein.
3. When service of the Summons was attempted by process server (All County Investigations and Process Serving, Inc.) on 1/16/2018, the stated reason for non-service was that the office was closed and BHLM is no longer in business . The returned summons is attached as [Docket #20].

4. BHLM's website is no longer functional; it indicates that BHLM has ceased operation and is in process of winding down its practice. (Exhibit A)

5. Fed. R. Civ. P. 4(h)(1)(A). Rule 4(e)(1) instructs a plaintiff to "follow state law for serving a summons in an action brought in courts of general jurisdiction in the state where the district court is located or where service is made."

6. According to Illinois law, a plaintiff may serve the registered agent on record for five years after the dissolution of the corporation, 805 ILCS 5/5.05, or the Secretary of State, 805 ILCS 5/5.25 under any one of these conditions;

(a) Any process, notice, or demand required or permitted by law to be served upon a domestic corporation or a foreign corporation having authority to transact business in this State may be served either upon the registered agent appointed by the corporation or upon the Secretary of State as provided in this Section.

(b) The Secretary of State shall be irrevocably appointed as an agent of a domestic corporation or of a foreign corporation having authority upon whom any process, notice or demand may be served.

(1) Whenever the corporation shall fail to appoint or maintain a registered agent in this State, or

(2) Whenever the corporation's registered agent cannot with reasonable diligence be found at the registered office in this State, or

(3) When a domestic corporation has been dissolved.

7. According to the Illinois Secretary of State website, BHLM currently does not maintain a registered agent within the state of Illinois .(Exhibit B) . BHLM's registered agent is listed as "Thomas A. Burris" ; 241 Stone Creek Lane, Valparaiso, IN. 46383.

8. Under Section 2-204.2 of the Illinois Code of Civil Procedure, the Court may authorize an alternative means of service if service is impractical.

9. Under the circumstances set forth herein, Petitioner moves for a finding that reasonable

attempt at service has been unsuccessful, that service upon Respondent BHLM is impractical and that an alternative means of service be authorized.

10. Petitioner proposes that service be authorized by serving Illinois Secretary of State, to be followed by mailing a copy of the summons and complaint to BHLM's registered agent, (Thomas A. Burris), by certified mail.

11. The foregoing manner of service is consistent with the requirements of due process. WHEREFORE, Petitioner prays for an order authorizing service of process upon Respondent BHLM in the manner proposed in paragraph 10. Alternatively, Petitioner prays for an order authorizing service of process upon the Respondent BHLM by any other means of substituted service the Court deems just.

Respectfully submitted,

Dated: February 2 , 2018

By /s/: Taraneh Vessal (*Pro Se*- Petitioner)

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